

Assembly Bill No. 2398

Passed the Assembly August 25, 2014

Chief Clerk of the Assembly

Passed the Senate August 21, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend, repeal, and add Section 42001.19 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2398, Levine. Vehicles: pedestrians and bicyclists.

Existing law provides that a driver who violates specified offenses of the rules of the road that are punishable as an infraction, and as a result of that violation proximately causes bodily injury or great bodily injury to another person is guilty of the public offense of unsafe operation of a motor vehicle with bodily injury or great bodily injury. Existing law provides that a conviction under these provisions is punishable for a violation involving bodily injury by a fine of \$70 and for a violation involving great bodily injury by a fine of \$95.

This bill, until January 1, 2020, would make a conviction under these provisions punishable by a fine, in lieu of the fines imposed for violations involving bodily injury or great bodily injury, of not less than \$220 and not more than \$300 for a violation involving bodily injury or great bodily injury to a vulnerable road user, as defined.

The people of the State of California do enact as follows:

SECTION 1. Section 42001.19 of the Vehicle Code is amended to read:

42001.19. Notwithstanding any other law, a person convicted of a violation of Section 21070 is punishable, as follows:

(a) For a violation involving bodily injury, by a fine of seventy dollars (\$70).

(b) For a violation involving great bodily injury, as defined in Section 12022.7 of the Penal Code, by a fine of ninety-five dollars (\$95).

(c) (1) For a violation involving bodily injury or great bodily injury to a vulnerable road user, by a fine of not less than two hundred twenty dollars (\$220) and not more than three hundred dollars (\$300).

(2) For purposes of this subdivision, “vulnerable road user” means:

(A) A pedestrian, including a highway construction and maintenance worker.

(B) A person on horseback.

(C) A person operating equipment other than a motor vehicle, including, but not limited to, a bicycle, in-line skates, roller skates, scooter, or skateboard.

(D) A person operating or using a farm tractor.

(E) A person on an electric personal assistive mobility device, as defined in Section 313.

(F) A person in a wheelchair.

(d) This section shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2020, deletes or extends that date.

SEC. 2. Section 42001.19 is added to the Vehicle Code, to read:

42001.19. Notwithstanding any other law, a person convicted of a violation of Section 21070 is punishable, as follows:

(a) For a violation involving bodily injury, by a fine of seventy dollars (\$70).

(b) For a violation involving great bodily injury, as defined in Section 12022.7 of the Penal Code, by a fine of ninety-five dollars (\$95).

(c) This section shall become operative on January 1, 2020.

Approved _____, 2014

Governor